

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 1:19-CR-119
v.	§	Hon. Judge Marcia Crone
	§	
SALVADOR GARCIA, SR.	§	

**FACTUAL BASIS**

The government presents to the Court, by and through the undersigned Assistant United States Attorney in and for the Eastern District of Texas, joined by the defendant **Salvador Garcia, Sr.**, and the defendant's attorney, Richard H. Garcia, and in support of the indictment, would show the following:

1. That the defendant, **Salvador Garcia, Sr.**, (“**Defendant**”), hereby stipulates and agrees to the truth of all matters set forth in this factual basis, and agrees that such admission may be used by the Court in support of his plea of guilty to Count One (1) of the Indictment, which charges a violation of 18 U.S.C. § 751(a), escape from custody.
2. That the defendant, who is pleading guilty to such indictment, is one and the same person charged in the indictment.
3. That the events described in the information occurred in the Eastern District of Texas.
4. That had this matter proceeded to trial, the government, through the testimony of witnesses, including expert witnesses, and through admissible exhibits, would have proven, beyond a reasonable doubt, each and every essential element of the offense

alleged in the indictment; specifically, the government would have proven the following stipulated facts:

On or about July 12, 2019, at approximately 2:25PM, **Salvador Garcia, Sr.**, and another inmate were discovered missing from their assigned housing unit at the Federal Correctional Complex, U.S. Bureau of Prisons, in Beaumont, TX.-Camp. ("Camp).

Defendant was subsequently arrested in or near Hidalgo County, Texas more than thirty (30) days subsequent to his escape.

At the time of the instant offense, **Defendant** was an inmate at the Camp. As such, **Salvador Garcia, Sr.**, was lawfully in the custody of the U.S. Attorney General (or by his authority under the Federal Bureau of Prisons) pursuant to a conviction for violating Title 21 U.S.C. § 846, in cause number 7-04-637-S4, in the Southern District of Texas on October 3, 2005.

Federal Bureau of Prison witnesses would testify that based on official court orders, prison polices, and procedures, **Salvador Garcia, Sr., Victor** was made aware prior to July 12, 2019 that he did not have permission to leave federal custody, and by leaving prison property, he would be absent without permission, and considered an escapee, and be in violation of federal law. Nonetheless, **Salvador Garcia, Sr.**, left the Camp of with said knowledge and of his own free will

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

5. I have read this factual basis and stipulation and the information, or have had them read to me and have discussed them with my attorney. I fully understand the contents of this factual basis and stipulation and agree without reservation that it accurately describes the events and my acts.

Dated: 2/26/20

  
SALVADOR GARCIA, SR.  
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this factual basis and stipulation and the information and have reviewed them with my client, **Salvador Garcia, Sr.** Based upon my discussions with the defendant, I am satisfied that the defendant understands the factual basis and stipulation as well as the information, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: \_\_\_\_\_

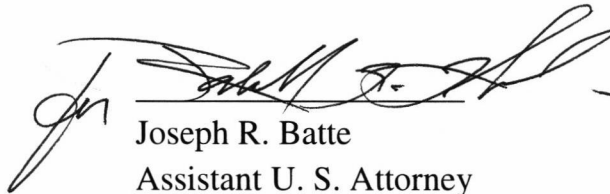
2/26/20



\_\_\_\_\_  
Richard H. Garcia  
Attorney for the Defendant

Respectfully submitted,

JOSEPH D. BROWN  
UNITED STATES ATTORNEY



\_\_\_\_\_  
Joseph R. Batte  
Assistant U. S. Attorney  
Eastern District of Texas  
350 Magnolia, Suite 150  
Beaumont, Texas 77701  
409/839-2538  
409/839-2550 Fax